VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 10 - PERMITS REQUIRED (except as listed in Rule 23)
(Adopted 10/22/68, Revised 5/23/72, 11/21/78, 8/14/79, 7/5/83, 6/13/95, 5/14/02, 4/13/04)

A. Authority to Construct

1. Requirement to Obtain an Authority to Construct

A person shall not build, erect, install, modify, relocate or replace any emissions unit at a stationary source without first obtaining an Authority to Construct. An Authority to Construct shall be required for any new emissions unit, modified emissions unit, relocated emissions unit, or replacement emissions unit. An Authority to Construct shall also be required for any physical change to an emissions unit which may alter the emissions of air contaminants.

2. Exemptions from Obtaining an Authority to Construct

An Authority to Construct shall not be required for:

a. New, modified or replacement emissions units at a small stationary source.

b. Relocation of an emissions unit within Ventura County where the new location is no more than five miles from the previous location, provided the emissions unit is at a small or medium source as defined in Rule 11, and provided that there is no emission increase.

For an emissions unit exempted pursuant to this subsection, a person shall apply directly for a Permit to Operate.

3. Contents of an Authority to Construct

The APCO shall list the following information and restrictions in an Authority to Construct:

a. A description of the emissions units for which the Authority to Construct is being issued.

b. Any reasonable conditions determined by the APCO pursuant to Rule 29 to be necessary to assure or demonstrate that the stationary source will operate in compliance with applicable federal, state and local rules and regulations. These conditions may include, but shall not be limited to, any applicable requirement(s) to perform source testing, apply for a Permit to Operate or obtain emission reduction credits.

c. A statement that the granting of the Authority to Construct shall not be construed as an endorsement by the APCD or guarantee compliance with APCD Rules and Regulations.

4. Expiration of an Authority to Construct

An Authority to Construct shall expire and shall be cancelled two years from the date of issuance or when a Permit to Operate or Temporary Permit to Operate is granted or denied, whichever comes first, unless an extension has been approved in writing by the APCO. To obtain an extension, the applicant must submit an application prior to the expiration date of the Authority to Construct. The APCO may grant a two-year extension to the expiration date in the following cases:

a. Where the APCO determines that the applicable BACT requirements that are in effect on the expiration date are not more stringent than the BACT requirements that were originally imposed.

b. Where the APCO determines, based on an analysis submitted by the applicant, that the more stringent BACT requirements in effect on the expiration date are not cost effective based on current APCD cost effectiveness guidelines, taking into consideration expenditures already made in addition to additional expenditures needed to comply with current BACT.

B. Permit to Operate

1. Requirement to Obtain a Permit to Operate

A person shall not operate, use or offer for use any emissions unit at a stationary source without first obtaining a Permit to Operate or a revised Permit to Operate which lists such emissions unit in its current operating configuration.

a. A new or revised Permit to Operate shall be obtained prior to the operation of:

1) Any new emissions unit.

2) Any modified emissions unit

3) Any relocated emissions unit

4) Any replacement emissions unit

5) Any physical change to an emissions unit which may alter the emissions of air contaminants.

b. A revised Permit to Operate shall be obtained in order to operate under modified permit conditions.

c. A new or revised Permit to Operate shall be obtained for a stationary source prior to the effective date of any revision to Rule 23 that removes the exemption from permit for the source.

d. A Permit to Operate shall be obtained prior to the transfer of ownership of any stationary source.

2. Contents of a Permit to Operate

The APCO shall list the following information and restrictions in the Permit to Operate:

a. A description of all emissions units at the stationary source for which the Permit to Operate is being issued.

b. Any reasonable conditions determined by the APCO pursuant to Rule 29 to be necessary to assure or demonstrate that a stationary source and all emissions units at the stationary source will operate in compliance with all applicable federal, state and local emission standards.

c. The amount of emissions that the APCO determines a stationary source may emit calculated pursuant to Rule 29. This amount is called "Permitted Emissions."

d. A statement that the Permit to Operate shall not be construed to allow any emissions unit to operate in violation of any applicable State or Federal emission standard or rules of the District.

3. Expiration of a Permit to Operate

A Permit to Operate, except a Part 70 permit, shall expire annually and must be renewed in accordance with the requirements of Rule 30. Notwithstanding the term of a Part 70 permit, a Part 70 permit shall expire if it is not renewed in accordance with the requirements of Rule 30.

4. Temporary Permit to Operate

During the processing of an application for a Permit to Operate, the APCO may issue a Temporary Permit to Operate. The Temporary Permit to Operate shall specify conditions under which the emissions units may be operated. A Temporary Permit to Operate shall expire when a Permit to Operate is issued, or when the application for the Permit to Operate is denied.

C. Exemption

This rule shall not apply to any emissions unit exempted from permit by Rule 23, Exemptions from Permit.